

REMARKS

Reconsideration is requested.

Claims 1-137 have been canceled, without prejudice. Claims 138-189 have been added and are pending. Support for the claims can be found throughout the specification and originally-filed claims.

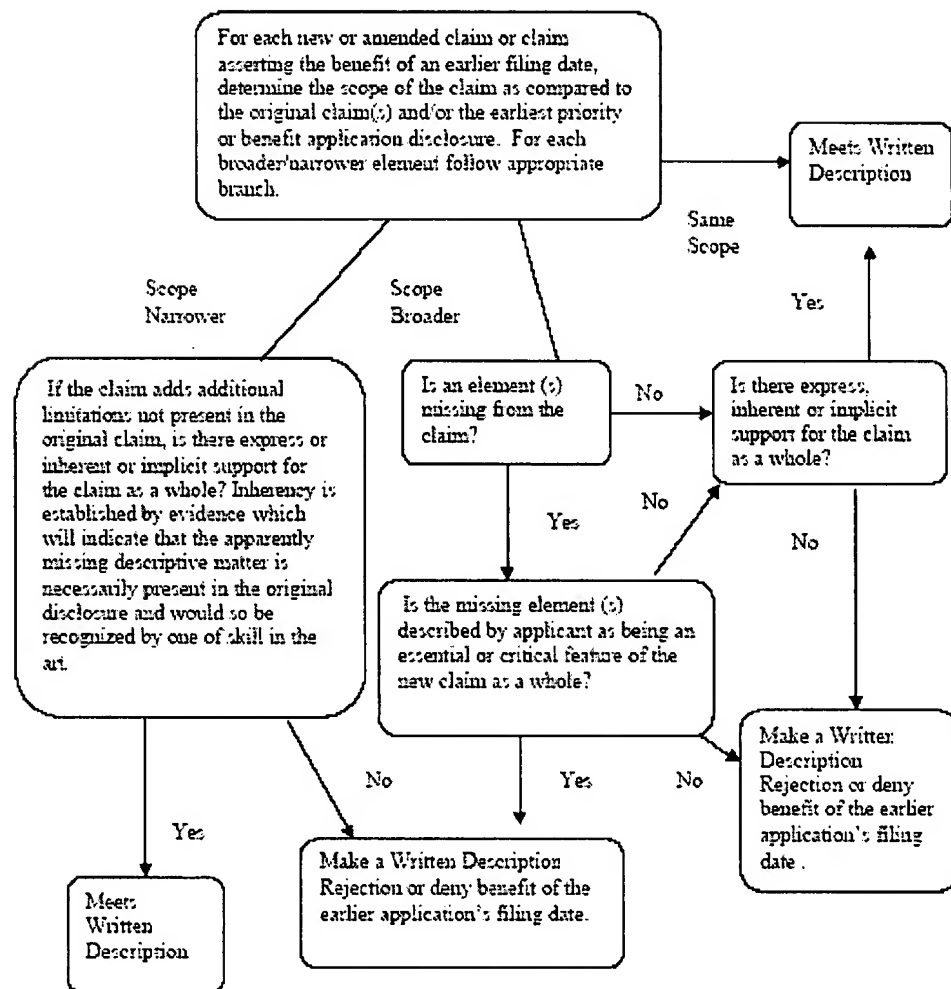
Specifically, support for new claim 138 can be found, for example, in originally-filed claims 2 (formula 2), 3 (formula 3), 1 (formula 1), 19 (formula 14), 34, 35, 50 (as dependent on originally-filed claim 46), and 5. Support for new claim 139 can be found, for example, in originally-filed claim 5. Support for new claims 140 and 141 can be found, for example, in originally-filed claim 50 (based on originally-filed claim 46). Support for new claims 142 and 143 can be found, for example, in originally-filed claim 2 (formula 2). Support for new claim 144 can be found, for example, in originally-filed claim 1 (formula 1). Support for new claims 145-150 can be found, for example, in originally-filed claim 3 (formula 3). Support for new claims 151-157 can be found, for example, in originally-filed claims 36-37, 39-40 and 42-45. Support for new claims 158-170 can be found, for example, in originally-filed claim 29. Support for new claim 171 can be found, for example, in originally-filed claim 50, which was dependent from, for example, originally-filed claims 48, 43, 29, 5, 3 and 2. Support for new claim 172 can be found, for example, in originally-filed claims 65-77 and the disclosure at pages 38-39 of the specification. Support for new claim 173 can be found, for example, in originally-filed claim 67. Support for new claim 174 can be found, for example, in originally-filed claim 78. Support for new claims 175, 176, 180, 181, 185 and 186 can be found, for example, in originally-filed claim 85. Support for new claims 177-179, 182-184 and 187-

189 can be found, for example, in originally-filed claim 84 and the disclosure at page 80, lines 1-3 and page 79, line 30.

No new matter has been added.

The Section 112, first paragraph “written description”, rejection of claims 90-128 and 130-137 is moot in view of the above. The pending claims are adequately described by the specification. One of ordinary skill in the art will appreciate that the applicants were in possession of the claimed invention at the time the application was filed.

The Examiner is requested to appreciate in this regard that the USPTO “Revised Interim Written Description Guidelines Training Materials” available on the USPTO website (<http://www.uspto.gov/web/offices/pac/writtendesc.pdf>) provide the following “Decision Tree” for determining whether the claims of an application are supported by an adequate written description:



The first step of this "Decision Tree" involves determining the scope of the claims as compared to the original claims.

The applicants believe that the pending claims have a narrower scope than the originally-filed claims and that the all of the pending claims, except for aspects of new claim 172 , 177-179, 182-184 and 187-189, have not however added limitations not present in the original claims. As for claims 172 , 177-179, 182-184 and 187-189, one of ordinary skill in the art will appreciate that the amended claims are expressly and/or inherently supported by the specification as a whole such that the claims "meets written

description" (i.e., the claims are supported by an adequate written description).

According to the Decision Tree therefore, the specification provides an adequate written description of the claims.

The pending claims are submitted to be supported by an adequate written description.

The Section 112, first paragraph "enablement", rejection of claims 131, 132 and 134-137 is moot in view of the above. The pending claims are submitted to be supported by an enabling disclosure. The Examiner's acknowledgement that the specification is enabling for treatment of colon, renal and breast cancers, is acknowledged, with appreciation. See page 3 of the Office Action dated October 20, 2006. The specification is also however believed to at least exemplify activity in treatment of CNS cancer and melanoma, as claimed. See page 108, Table 1, for example, of the specification. The claims are believed to be supported by an enabling disclosure.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

STEVENS et al.
Appl. No. 10/539,451
April 20, 2007

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff
Reg. No. 36,663

BJS:
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100